

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



LEN STOLER, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 1:15cv1659 (TSE/JFA)
	)	
VOLKSWAGEN GROUP OF	)	
AMERICA, INC.,	)	
	)	
Defendant.	)	
_____	)	

**ORDER**

On Friday, July 15, 2016, counsel for the parties appeared before the court to present argument on the defendant's Motion for Leave to File First Amended Answer, Affirmative Defenses, and Counterclaims to Plaintiff Len Stoler, Inc.'s Amended Complaint (Docket no. 30) ("motion to amend"). Upon consideration of the motion and incorporated memorandum in support, plaintiff's memorandum in opposition (Docket no. 33), and defendant's reply (Docket no. 34), and for the reasons stated from the bench, it is hereby


ORDERED that defendant's motion to amend is granted in part and denied in part. Defendant shall be permitted to file an amended answer that includes the proposed affirmative defenses and Count 1 of the counterclaim. Defendant's request to include Count 2 of the counterclaim is denied. Next, having found undue delay in defendant's request to amend its answer, it is further

ORDERED that, in order to ameliorate any prejudice to the plaintiff, plaintiff shall be permitted to serve up to ten (10) additional interrogatories on the new issues raised in the amended answer of the defendant, and all discovery served by the plaintiff on the defendant that

relates to the new issues raised in the amended answer must be objected to by the defendant within seven (7) days and responded to by the defendant within fourteen (14) days. It is further

ORDERED that the expert disclosure dates are unmodified by this order; however, to the extent defendant plans to use an expert to support its counterclaim, defendant's Rule 26(a)(2) disclosures for any such expert are considered an initial disclosure, and, accordingly, are due on or before July 18, 2016.

Entered this 15th day of July, 2016.

\_\_\_\_\_/s/   
John F. Anderson  
United States Magistrate Judge  
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John F. Anderson  
United States Magistrate Judge

Alexandria, Virginia